

PATENT



COPY

Docket No. RSW920000026US1

**EXPEDITED PROCESSING -
RESPONSE TO FINAL REJECTION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Carl T. Anderson, Gregory F. Bush,
Michael Faoro, Susan E. Kahler, Alberta Lee,
Janet L. Leskovec, Susan E. Liles,
Lynn Percival and Keith A. Wells

APPLICATION NO. 09/592,387 Confirmation No. 5014
FILED: June 12, 2000 Examiner: T. Chuong
CASE NO. RSW920000026US1 Group Art Unit: 2179

TITLE: USER ASSISTANCE SYSTEM

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence, along with any paper indicated as being enclosed, are being facsimile transmitted to Examiner T. Chuong in Art Unit 2179 to 703 872 9306 on April 15, 2005.

April 15, 2005
Date


Lynn M. White

Commissioner for Patents
MAIL STOP AF
P.O. Box 1450
Alexandria, VA 22313-1450

**REPLY AND AMENDMENT UNDER 37 C.F.R. §1.116
TO EXAMINER'S FINAL ACTION MAILED NOVEMBER 16, 2004**

Sir:

This is in response to the final Office Action mailed November 16, 2004, having a period for response set to expire on February 16, 2005. A Petition extending the period for response for two months, to April 16, 2005, is enclosed, along with a Credit Card Payment Form authorizing the payment of the extension fee. The following amendments and remarks are respectfully submitted.

Amendments to the claims begin on page 2 of this paper. Remarks begin on page 6 of this paper.

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In the Claims

1. (Currently amended) A user assistance system for providing user assistance in connection with selectable steps associated with the operation of a computer program running on a computer system, each of said selectable steps capable of being active or inactive, and each implementing one or more substeps when selected, with one of the selectable steps being a currently-selected step, said user assistance system comprising:

a client work area displaying information pertaining to the currently-selected step; and

a navigator bar adjacent to said client work area, said navigator bar continuously displaying a visual representation of said selectable steps, said visual representation including a display of steps that are active and steps that are inactive, said displayed steps comprising the most likely steps to be traversed in connection with the currently selected step;

wherein said visual representation of said selectable steps displayed by said navigator bar further includes:

past steps already performed by said computer program; and
the currently-selected step.

2. (Previously presented) The user assistance system of claim 1, wherein said navigator bar is dividable into segments, with each segment corresponding to one of said steps of said selectable steps.

Claims 3-5 (Canceled)

6. (Currently amended) The user assistance system of claim 5 1, wherein said segments include active segments and inactive segments, and wherein selection of an active segment changes the currently-selected step to the step corresponding to said selected active segment.

7. (Original) The user assistance system of claim 6, wherein said navigator bar displays said segments in a serial manner, and wherein said navigator bar can be scrolled to allow viewing of segments preceding or following said segment corresponding to said currently-selected step.

8. (Original) The user assistance system of claim 7, wherein the action of scrolling said navigator bar does not change the information being displayed in said client area.

9. (Original) The user assistance system of claim 8, wherein said information displayed in said client area comprises a selectable list of alternative choices for subsequent steps to be taken by said computer program.

10. (Previously presented) The user assistance system of claim 9, wherein selection of one of said alternative choices causes said display of future steps not yet performed by said computer program to change to a display of future steps associated with said selected alternative choice.

11. (Currently amended) A method for providing user assistance in connection with selectable steps associated with the operation of a computer program running on a computer

system, each of said selectable steps capable of being active or inactive, and each implementing one or more substeps when selected, with one of the selectable steps being a currently-selected step, said method comprising the steps of:

generating a client work area in which information pertaining to the currently-selected step is displayed; and

generating a navigator bar adjacent to said client work area, said navigator bar continuously displaying a visual representation of said selectable steps, said visual representation including a display of steps that are active and steps that are inactive, said displayed steps comprising the most likely steps to be traversed in connection with the currently selected step;

wherein said visual representation of said selectable steps displayed by said navigator bar further includes:

past steps already performed by said computer program; and
the currently-selected step.

12. (Previously presented) The method of claim 11, further comprising the step of dividing said navigator bar into segments, with each segment corresponding to one of said steps of said selectable steps.

Claims 13-15 (Canceled)

16. (Currently amended) The method of claim 15 11, wherein said segments include active segments and inactive segments, and wherein selection of an active segment changes the currently-selected step to the step corresponding to said selected active segment.

17. (Original) The method of claim 16, further comprising the steps of:
displaying said segments on said navigator bar in a serial manner; and
providing means for scrolling said navigator bar, wherein said navigator bar can be scrolled to allow viewing of segments preceding or following said segment corresponding to said currently-selected step.

18. (Original) The method of claim 17, wherein the action of scrolling said navigator bar does not change the information being displayed in said client area.

19. (Original) The method of claim 18, further comprising the step of displaying in said client area a selectable list of alternative choices for subsequent steps to be taken by said computer program.

20. (Previously presented) The method of claim 19, further comprising the step of changing the display of future steps not yet performed by said computer program to a display of future steps associated with a selected alternative choice, when one of said alternative choices is selected.

REMARKS

In the Office Action, the Examiner indicated that claims 1, 2, 4-12, and 14-20 are pending in the application and the Examiner rejected all claims.

Claim Rejections, 35 U.S.C. §103

In item 4 of the Office Action, the Examiner rejected claims 1, 2, 4, 11-12, and 14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,825,356 to Habib et al. ("Habib"). In item 5 of the Office Action, the Examiner rejected claims 5-10 and 15-20 under 35 U.S.C. §103(a) as being unpatentable over Habib in view of U.S. Patent No. 6,734,883 to Wynn et al.

Rejection of Claims 1, 2, 4, 11, 12, and 14

The rejection of claims 1, 2, 4, 11, 12, and 14 has been rendered moot by the claim amendments submitted herein. Specifically, applicant has amended claim 1 to include the limitations of claims 4 and 5, and claim 11 has been amended to include the limitations of claims 12 and 15. Accordingly, the rejection of claims 1, 2, 4, 11, 12, and 14 under 35 U.S.C. §103 in view of Habib is now moot.

Rejection of Claims 5-10 and 15-20

Claim 5 has been rewritten as independent claim 1, and includes the limitations of intervening claim 4; claim 15 has been rewritten as independent claim 11, and includes the limitations of intervening claim 14. Claims 4, 5, 14, and 15 have thus been canceled, leaving

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claims 1, 2, 6-10, 11, 12, and 16-20 pending and rejected based on Habib in view of Wynn under 35 U.S.C. §103. However, the subject matter of Wynn and the claimed invention were, at the time the invention was made, owned by the same person (International Business Machines Corporation) or subject to an obligation of assignment to the same person (International Business Machines Corporation). See attached Declaration of Carl T. Anderson; see also the recorded assignment from the inventors to International Business Machines Corporation, recorded on June 12, 2000 at Reel/Frame 010890/0631. Thus, Wynn is not prior art under 35 U.S.C. §103(c). Accordingly, Claims 1, 2, 6-10, 11, 12, and 16-20 are in condition for allowance. Reconsideration of the claims and an early notice of allowance are earnestly solicited.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited. The Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted

APRIL 15, 2005

Date



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PATENT



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INVENTORS: Carl T. Anderson, Gregory F. Bush,
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APPLICATION NO. 09/592,387
FILED: June 12, 2000
CASE NO. RSW920000026US1

Confirmation No. 5014
Examiner: T. Chuong
Group Art Unit: 2174

TITLE: USER ASSISTANCE SYSTEM

~~CERTIFICATE OF MAILING~~

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~~August 17, 2004~~~~Date~~~~Lynn M. White~~

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF CARL T. ANDERSON
UNDER 37 C.F.R. §1.131

I, Carl T. Anderson, do hereby declare the following:

- (1) My name is Carl T. Anderson and I am a co-inventor of the above-identified application.

Application No. 09/592,387
Page 2

August 17, 2004

(2) I submitted an invention disclosure ("Disclosure") on which the above-identified application is based to my employer, IBM Corporation, on August 9, 1999, and last modified the aforementioned Disclosure on August 13, 1999. A copy of the Disclosure is attached as Exhibit A.

(3) The Disclosure describes the invention described and claimed in the present application and the drawings contained in the Disclosure were filed with the present application.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 8-17-2004

Carl T. Anderson
Carl T. Anderson

Updated
8-17-99

6

	Disclosure RSW8-1999-0166
	Created By: Carl Anderson Created On: 08/09/99 02:20:55 PM
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Summary

Status	Under Evaluation
Processing Location	RSW
Functional Area	Spector/Transarc
Attorney/Patent Professional	Edward Duffield/Raleigh/IBM <i>YMD</i>
IDT Team	Edward Duffield/Raleigh/IBM <i>R Redpath</i>
Submitted Date	08/12/99 05:03:02 PM
Owning Division	SWG Add/Change <i>SWSD</i>
PVT Score	11

Inventors with Lotus Notes IDs

Inventors: Susan Kahler/Raleigh/IBM, Janet Leskovec/Raleigh/IBM, Carl Anderson/Raleigh/IBM, Michael Faoro/Raleigh/IBM, Lynn Percival/Raleigh/IBM, Keith Wells/Raleigh/IBM, Greg Bush/Raleigh/IBM, Alberta Lee/Raleigh/IBM, Susan Liles/Raleigh/IBM

Inventor Name > denotes primary contact	Inventor Serial	Div/Dept	Manager Serial	Manager Name
Kahler, Susan E.	675827	76/DPDB	237367	Bailey, John H.
Leskovec, Janet L.	045818	76/TH2B	509851	Palmer, Rozalind H.
Anderson, C.T. (Carl)	607576	76/TH2B	509851	Palmer, Rozalind H.
Michael Faoro/Raleigh/IBM	N/A	N/A	N/A	N/A
Percival, Lynn	858811	76/DPDB	237367	Bailey, John H.
Wells, K.A. (Keith)	310282	76/TH2B	509851	Palmer, Rozalind H.
Bush, Gregory F. (Greg)	169722	76/TH2B	509851	Palmer, Rozalind H.
Lee, Alberta	0A3238	76/U19A	029682	Nolander, Tracey L.
Liles, S.E. (Susan)	624083	76/TH2B	509851	Palmer, Rozalind H.

Inventors without Lotus Notes IDs

M. Jones

IDT Selection

Main Idea

* Title of disclosure (in English)
The LifeCycle Navigator.

* Idea of disclosure

1. Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of using the invention.
There are many complicated and convoluted processes that users must follow in today's tools. One instance of a complicated process is the TeamConnection Development LifeCycle. Users often get confused as to how far along they are on this process, what steps are available, and what is the path most likely to be followed.
The LifeCycle Navigator is a combination of an active display of the past, current, and future steps, as well as a series of decision panels and forms to complete in order to traverse this path.

1. *Pharmaceutical industry* – The pharmaceutical industry is the largest of the three industries, with sales of \$10.5 billion in 1997. It is the only industry that has not experienced a decline in sales since 1990. The industry is dominated by a few large firms, with the top five firms accounting for 40% of sales. The industry is highly competitive, with many firms competing for market share. The industry is also highly regulated, with the FDA overseeing the approval of new drugs. The industry is expected to continue to grow, with sales projected to reach \$15 billion by 2005.

when a different path is chosen from a decision panel, the user can quickly see what most common steps are ahead for the new path.

An example: A user first begins working with a defect within the LifeCycle Navigator. Figure 1



shows the initial view of the defect, the fact that the user is at the state "View Details", and that the most common route for a defect includes "Accept Defect" (which is already active), "Create Workarea", "Select Workarea", etc. The user can either select "Defect Options", select "Accept Defect" (which skips ahead in the LifeCycle), or just press Continue to go forward along the most common route. Figure 2



shows the next state of the LifeCycle Navigator. The user is at the "Defect Options" state (a decision panel), and can go back to "View Details", skip ahead to "Accept Defect" (the same as selecting Continue), or can choose another route. Figure 3



shows how the LifeCycle Navigator changes if another route is chosen. Once again, the most common route for this decision is shown. The user can see the different steps in this process and how much more needs to be done along this route. Each choice on a decision panel has an associated "most common route" with it, which will be displayed (and followed, should that route be chosen). If the user chooses to "Accept and fix it", the user goes to the "Accept Defect" state. Figure 4

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Navigation icons: back, forward, search, etc.

Buttons: Create Workarea, Select Workarea, Filter Panel, Work with Panel

Form fields:

- Name: 3
- Area: redesign
- Remarks: This process is too complicated and must be redesigned.
- Situation: test failed
- Test run: usability test
- Phase Order: development
- Priority: candidate
- Filter: (empty)

Submit button

shows the "Accept Defect" state, which is a form. This step must be completed before the user can continue down this route. The user can still go back to either the "View Details" state or the "Defect Options" state. When the form is submitted, the user advances to the next state. Figure 5

joaquim - IBM VATC

File Edit View Help

Properties Workarea Accept Defect Defect Options Select Workarea Filter Page Work with Page

Enter a new name for the workarea and click Submit

Release Name: []

Workarea Name: [3]

From: []

To: []

Submit

shows the "Create Workarea" state. Note that we cannot go back directly to the "Accept Defect" state. Also, returning to "Defect Options" will now present us with a different set of options. (See Figure 7 below.) Something else to point out is that the number of steps within the LifeCycle Navigator does not need to fit on one screen. Pressing the dark arrow at the end of the LifeCycle Navigator would show Figure 6

joaquim - IBM VATC

File Edit View Help

Progress Bar: Create Workarea, Filter Pairs, Work Item Pairs, Check In Pairs, Final Output

Create Workarea

Name: _____

Release name: _____

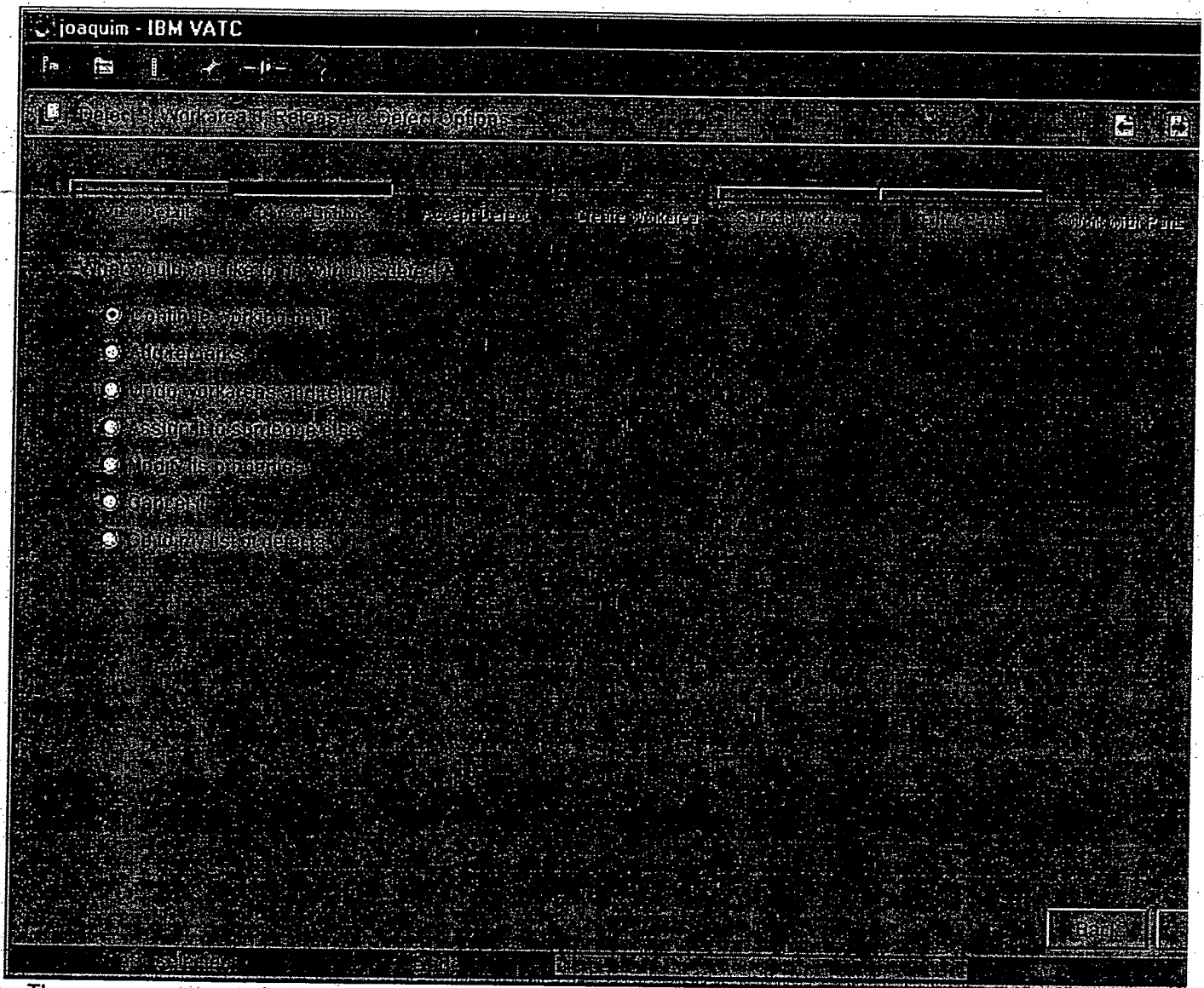
Release name: _____

Path: _____

Owner: _____

Back

, where the user is still in the "Create Workarea" state, and can see that there are only 5 more steps in order to complete this (complicated) process along the most common route. This step must also be completed before continuing along this route. Now, if the user completes this step, then decides that this was the wrong process to follow, the "Defect Options" step can be selected (or Back can be repeatedly pressed). This returns the user to the "Defect Options" step, which now appears as Figure 7



The user can resume the most common route by selecting "Select Workarea" or "Filter Parts" or pressing Continue. Or the user can take another step. (Notice how "Return it to originator" is now "Undo workareas and return it", since the process necessary to move to that state has now changed.)

The LifeCycle Navigator could be implemented for most any complicated process, such as taxes. (Showing the most common route through the 1040 long form, the most common additional forms, and how short the process becomes if the 1040EZ route is selected.) One of the biggest fears of novice users is not knowing where the process is taking them. The LifeCycle Navigator assuages this (and other) fear(s).

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?

The most common solution to this problem is a Wizard or SmartGuide. While these lead you through the process, you have no idea of what the most common route is, nor how much more you have to do. Also, should you desire to return to a decision point and take another direction, the Wizard or SmartGuide do not help you undo what you have done, nor do they show how that decision point has been changed due to the steps you have already taken. The LifeCycle Navigator shows you the most common route through the process for the path you have chosen. It shows

you where you are, how much more there is to do, where you can skip to (both forwards and back), and it modifies itself according to what decision you might like to make as well as what you have done within the process.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.

The invention is implemented in VisualAge TeamConnection v3.0.3.

***Critical Questions (Questions 1 - 7 must be answered)**

*Question 1	
On what date was the invention workable? 03/31/99 Please format the date as MM/DD/YYYY (Workable means i.e. when you know that your design will solve the problem)	

*Question 2		<input type="radio"/> Yes
Is there any planned or actual publication or disclosure of your invention to anyone outside IBM?		<input checked="" type="radio"/> No
If yes, Enter the name of each publication or patent and the date published below.		
Publication/Patent		
Date Published or Issued:		
Are you aware of any publications, products or patents that relate to this invention?		<input type="radio"/> Yes
		<input checked="" type="radio"/> No
If yes, Enter the name of each publication or patent and the date published below.		
Publication/Patent		
Date Published or Issued:		

*Question 3		<input type="radio"/> Yes
Has the subject matter of the invention or a product incorporating the invention been sold, used internally in manufacturing, announced for sale, or included in a proposal?		<input checked="" type="radio"/> No
Is a sale, use in manufacturing, product announcement, or proposal planned?		<input checked="" type="radio"/> Yes
		<input type="radio"/> No
If Yes, identify the product if known and indicate the date or planned date of sale announcements, or proposal and to whom the sale, announcement or proposal has been or will be made.		
Product: VisualAge TeamConnection		
Version/Release: 3.0.3		
Code Name:		
Date: 08/31/1999		
To Whom: General Availability		
If more than one, use cut and paste and append as necessary in the field provided.		

*Question 4		<input type="radio"/> Yes
Was the subject matter of your invention or a product incorporating your invention used in public, e.g., outside IBM or in the presence of non-IBMers?		<input checked="" type="radio"/> No
If yes, give a date. Please format the date as MM/DD/YYYY		

*Question 5		<input checked="" type="radio"/> Yes
Have you ever discussed your invention with others not employed at IBM?		<input type="radio"/> No
If yes, identify individuals and date discussed. Fill in the text area with the following information, the names of the individuals, the employer, date discussed, under CDA, and CDA #		
Veronica Vanca/Raleigh/IBM or Jerry Samelli/Raleigh/IBM should have the CDA information for our demonstrations to the following customers: TRW/SAIC March 23-24, John Deere April 22-23, DBNA April 29, SMS on 6/7		

*Question 6 Was the invention, in any way, started or developed under a government contract or project?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not sure
If Yes, enter the contract number	

*Question 7 Was the invention made in the course of any alliance, joint development or other contract activities?	<input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Not Sure
If Yes, enter the following Name of Alliance, Contractor or Joint Developer	
Contract ID number	
Relationship contact name	
Relationship contact E-mail	
Relationship contact phone	

Question 8 Have you submitted, or are you aware of, any related disclosure submission?	<input type="radio"/> Yes <input checked="" type="radio"/> No
If Yes, please provide the title and docket or disclosure number below:	

Question 9 What type of companies do you expect to compete with inventions of this type? <i>Check all that apply.</i>
<input type="checkbox"/> Manufacturers of enterprise servers <input type="checkbox"/> Manufacturers of entry servers <input type="checkbox"/> Manufacturers of workstations <input type="checkbox"/> Manufacturers of PC's <input type="checkbox"/> Non-computer manufacturers <input type="checkbox"/> Developers of operating systems <input type="checkbox"/> Developers of networking software <input type="checkbox"/> Developers of application software <input type="checkbox"/> Integrated solution providers <input type="checkbox"/> Service providers <input type="checkbox"/> Other (Please specify below)

Patent Value Tool (Optional - this may be used by the inventor and attorney to assist with the evaluation of the Patent Value Tool)
Post Disclosure Text & Drawings

(Form Revised 12/17/97)



TELECOPY COVER SHEET

PAGE 1 OF 3

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Please deliver the telecopy transmitted herewith to:

Name: Examiner T. Chuong, Art Unit 2179

From: Mark D. Simpson, Reg. No. 32,942

Re: Application No. 09/592,387

S&L Docket Number: 23,899 USA

Confirmation to follow: ☐ Yes ☒ No

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COMMENTS REGARDING 09/592,387

INVENTORS: Carl T. Anderson, Gregory F. Bush,
Michael Faoro, Susan E. Kahler, Alberta Lee,
Janet L. Leskovec, Susan E. Liles,
Lynn Percival and Keith A. Wells

APPLICATION NO. 09/592,387 Confirmation No. 5014

FILED: June 12, 2000 Examiner: T. Chuong

CASE NO. RSW920000026US1 Group Art Unit: 2179
(S&L File No. 23,899 USA)

TITLE: USER ASSISTANCE SYSTEM

Dear Examiner Chuong:

Thank you for your assistance in this matter. Further to our telephone discussion of today, and to assist you in resolving this matter, I just wanted to point out where I see the discrepancy in the prosecution of this application.

1. As I understand it, the claim amendments submitted in the April 15, 2005 Response After Final were not entered. In my view, they should have been entered, since these amendments merely rewrote claims 5 and 15 in independent form to include the limitations of the independent claims from which they depended as well as any intervening claims. If nothing else, these amendments narrowed issues for appeal.

2. In addition, you also withdrew the finality of the November 16, 2004 Office Action, which I believe should also open the door for entry of the claim amendments submitted on April 15, 2005.

3. Substantively, these amendments removed from consideration the rejection of the claims based solely on Habib, and left remaining the rejection of the claims based on Habib combined with Wynn. In other words, since the substance of claim 5 was included in claim 1, and the substance of claim 15 was included in claim 11, the remaining rejection was only the combined Habib/Wynn rejection. Applicant advised the PTO in its August 17, 2004 response that Wynn was not available as prior art because it was commonly owned with the subject application, and Applicant then presented evidence to the Examiner in its April 15, 2005 response that Wynn was not prior art with respect to the present invention under 35 U.S.C. §103(c). Based upon this evidence, the combined rejection based on Habib and Wynn was no longer proper, and, it is applicant's position that the claims were in allowable condition.

In other words, the April 15, 2005 amendment (a) narrowed the issues for appeal; (b) placed the claims in allowable condition, at least over the prior art of record; and (c) arguably was presented in response to a non-final office action (since you withdrew the finality of the November 16, 2004 office action). All of these things render the entry of the amendment proper.

Rather than having to go through an appeal process to resolve the procedural issue, and thereby delaying the substantive examination of this case, which has been pending since June 12, 2000 (over 5 years), it seems to me to make more sense to resolve this

procedural issue by issuing a new office action wherein the amendments submitted in the April 15, 2005 response are entered and considered. I will make myself available for a telephonic interview if you think it will resolve the matter.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. Simpson', written over the typed name.

Mark D. Simpson
Reg. No. 32,942

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